

Notice of Allowability

Application No.

10/635,079

Examiner

John J. Tabone, Jr.

Applicant(s)

ADKISSON ET AL.

Art Unit

2117

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment and arguments filed 12/10/2007.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Jacques Louis Jacques
JACQUES LOUIS JACQUES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. Claims 1-23 remain pending in the application. Claims 1, 9, 10, 18-20, 22, and 23 have been amended.
2. The objections to the specification and claims as well as the 35 U.S.C. 112, second paragraph rejections have been withdrawn by virtue of the Applicants' amendment filed 12/10/2007.

Response to Arguments

3. Applicant's arguments, filed 12/10/2007, with respect to claims 1-23 have been fully considered and are persuasive. The rejection of 09/17/2007 has been withdrawn.

Allowable Subject Matter

4. **Claims 1-23** are allowed.

The following is an Examiner's Statement of Reasons for Allowance:

The present invention relates to general purpose performance counter ("GPPC") connected to a bus carrying debug data and the zeroing thereof.

The claimed invention as set forth in **claim 1** (broadest claim) recites features such as:

A zeroing circuit for a general purpose performance counter ("GPPC") connected to a bus carrying debug data, the zeroing circuit comprising:

logic for zeroing out a specified number of most significant bits ("MSBs") of a selected portion of the debug data based on a mask generated by a mask generator block, the logic for zeroing producing a result, and

means for providing a selection control signal to the mask generator block, the selection control signal operating to select the specified number of MSBs for zeroing.

The prior arts of record teach logic for generating a bit-wise mask; **Ranson et al.** (US-5887003) is one example of such prior arts.

The prior arts of record, however, fail to teach, singly or in combination, logic for zeroing out a specified number of most significant bits of a selected portion of the debug data based on a mask generated by a mask generator block.

As such, modification of the prior art of record to include the claimed *zeroing logic* can only be motivated by hindsight reasoning, or by changing the intended use and function of the prior art themselves. Therefore, it is not clear that one of ordinary skill in the art at the time of the invention would have made the necessary modifications to the prior art of record to encompass the *zeroing logic* set forth in the present application. Moreover, none of the prior arts of record, taken either alone or in combination, anticipate nor render obvious the *zeroing logic* as set forth in **claim 1**.

Independent **claims 10 and 19** recite similar patentable features and are allowed for the same reason as **claim 1**. Hence, **claims 1-23** are allowable over the prior arts of record.

The Examiner agrees with the Applicant's arguments with regard to this feature in view of the arts of record; therefore, the Examiner favors the allowance of **Claims 1-23**. Any comments considered necessary by applicant must be submitted no later than

Art Unit: 2117

the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

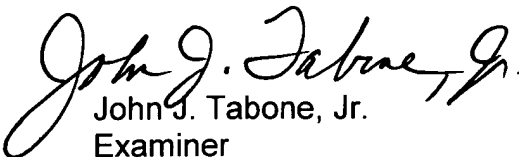
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Tabone, Jr. whose telephone number is (571) 272-3827. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACQUES H. LOUIS JACQUES can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2117


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Examiner

Art Unit 2117


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